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NOTICE OF ALLOWANCE AND FEE(S) DUE

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7590

09/08/2009

PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER

POND, ROBERT M

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 09/08/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,040	03/30/2001	Kelly Ervin Sonderegger	060270-0311750	5143

TITLE OF INVENTION: ANONYMOUS SHOPPING TRANSACTIONS ON A NETWORK THROUGH INFORMATION BROKER SERVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	12/08/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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**PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN, VA 22102**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/821,040

03/30/2001

Kelly Ervin Sonderregger

062070-0311750

5143

TITLE OF INVENTION: ANONYMOUS SHOPPING TRANSACTIONS ON A NETWORK THROUGH INFORMATION BROKER SERVICES

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	12/08/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
POND, ROBERT M	3625	705-026000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/A/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 716 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 716 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

09/821_040

Examiner

Robert M. Pond

Applicant(s)

SONDEREGGER ET AL.

Art Unit

3625

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interviews (20090804; 20090820; 20090826); Examiner's Amendment (20090909).
2. ☒ The allowed claim(s) is/are 1-3,6-8 and 24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20090804; 20090820.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Interview (20090826).

/Robert M. Pond/
Primary Examiner, Art Unit 3625

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization

Authorization for this examiner's amendment was given in telephone interviews with Mr. S. Jafar Ali #58,780 held on 04 August 2009, 20 August 2009 and 26 August 2009.

Claims Allowed

Claims 1-3, 6-8 and 24 entered 07 November 2007 are allowed. Claims 4, 5, 9-23 and 25-28 are canceled.

In the Claims

Delete claims 1 and 6 in their entirety and insert therefore:

- -Claim 1. A method for initiating anonymous on-line transactions, the method comprising:

displaying an anonymous shopping toolbar in a browser on a computer, the anonymous shopping toolbar associated with a credit card issuer and

providing a user with an anonymous credit card option for the user to anonymously initiate an on-line transaction;

communicating a request for an anonymous credit card to the credit card issuer over a network connection that links the computer to the credit card issuer, the request communicated in response to the user selecting the anonymous credit card option, wherein the credit card issuer:

generates the anonymous credit card and links the anonymous credit card to the user's real credit card account in response to receiving the request for the anonymous credit card, the anonymous credit card having an anonymous transaction number that includes a credit card number and an expiration date based on a month and a year in which the on-line transaction occurs,

issues a limit of one trillion unique anonymous transaction numbers per month, and

uses one or more numbers from a first four numbers of the user's real credit card account in the anonymous transaction number in response to having issued the limit of one trillion unique anonymous transaction numbers in the month in which the on-line transaction occurs to create a new limit of an additional one trillion unique anonymous transaction numbers;

receiving the anonymous credit card at the computer over the network connection that links the computer to the credit card issuer; and

initiating the on-line transaction over the network connection using the anonymous credit card.- -

--Claim 6. A system for initiating anonymous on-line transactions, the system comprising:

a graphical user interface that displays an anonymous shopping toolbar in a browser on a computer, the anonymous shopping toolbar associated with a credit card issuer and providing a user with an anonymous credit card option for the user to anonymously initiate an on-line transaction;

a storage device that stores information corresponding to the user's real credit card account; and

a network connection that links the computer to the credit issuer, wherein the computer:

communicates a request for an anonymous credit card to the credit card issuer over the network connection in response to the user selecting the anonymous credit card option, wherein the credit card issuer:

generates the anonymous credit card and links the anonymous credit card to the user's real credit card account in response to receiving the request for the anonymous credit card, the anonymous credit card having an anonymous transaction number that includes a credit card number and an expiration date based on a month and a year in which the on-line transaction occurs,

issues a limit of one trillion unique anonymous transaction numbers per month, and

uses one or more numbers from a first four numbers of the user's real credit card account in the anonymous transaction number in response to having issued the limit of one trillion unique anonymous transaction numbers in the month in which the on-line transaction occurs to create a new limit of an additional one trillion unique anonymous transaction numbers;

receives the anonymous credit card over the network connection that links the computer to the credit card issuer; and

anonymously initiates the on-line transaction over the network connection using the anonymous credit card.- -

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The field of invention pertains to electronic commerce and specifically relates to carrying out anonymous electronic shopping.

Regarding claim 1. A shopper selects from a browser toolbar, an anonymous shopping credit card to initiate an on-line transaction. The credit card issuer associated with the anonymous shopping application receives the request from the shopper's toolbar application and issues the anonymous credit card over the network connection that links the computer to the credit card issuer. The issued

anonymous credit card has a number and an expiration date based on a month and a year in which the on-line transaction occurs. The user anonymously initiates the on-line transaction using the anonymous credit card using the anonymous transaction number linked to the user's real credit card.

Regarding system claim 6, allowance is based on the reasons as noted above for claim 1.

Closest US Patent/US Patent Publication Prior Art

Flitcroft (WO 99/49424 issued as US 6,636,833, Paper #20090727) discloses a system an methods of anonymous shopping using anonymous credit cards. Flitcroft neither alone nor in combination with previously cited prior art teach and suggest the combinations of methods as claimed: generates the anonymous credit card and links the anonymous credit card to the user's real credit card account in response to receiving the request for the anonymous credit card, the anonymous credit card having an anonymous transaction number that includes a credit card number and an expiration date based on a month and a year in which the on-line transaction occurs, issues a limit of one trillion unique anonymous transaction numbers per month, and uses one or more numbers from a first four numbers of the user's real credit card account in the anonymous transaction number in response to having issued the limit of one trillion unique anonymous transaction numbers in the month in which the on-line transaction occurs to create a new limit of an additional one trillion unique anonymous transaction numbers.

Forward and backward citations of Flitcroft (US 6,636,833) failed to produce closer prior art.

Closest Non-Patent Literature Prior Art

Novell (Item X, Paper #20051205) neither alone nor in combination with previously cited prior art teach and suggest the combinations of methods as claimed: generates the anonymous credit card and links the anonymous credit card to the user's real credit card account in response to receiving the request for the anonymous credit card, the anonymous credit card having an anonymous transaction number that includes a credit card number and an expiration date based on a month and a year in which the on-line transaction occurs, issues a limit of one trillion unique anonymous transaction numbers per month, and uses one or more numbers from a first four numbers of the user's real credit card account in the anonymous transaction number in response to having issued the limit of one trillion unique anonymous transaction numbers in the month in which the on-line transaction occurs to create a new limit of an additional one trillion unique anonymous transaction numbers.

Examination Notes

Inherency

The Examiner drew out structural specificity to meet *In re Bilski* requirement (i.e. methods tied to another statutory class) for method claim 1 and 35 USC 101 statutory subject matter requirements for system claim 6. The Examiner used as

a test for how much could be drawn out from the original disclosure the Applicants' specification and drawings as hypothetical prior art against the Applicants' proposed claims under 35 USC 102. It is the Examiner's opinion that claims 1 and 6 as amended can be rejected under 35 USC 102 using the hypothetical prior art. The drawings and specification explicitly disclose remote browser applications communicating via a computer network, the network being the Internet, and a user interacting with an Internet web site via the remote applications over the computer network, the applications further relying on data from a storage device. It is the Examiner's opinion there is no doubt that the claimed invention rises above mere field of use and/or extra solution activity.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Pond/
Primary Examiner, Art Unit 3625
August 26, 2009